

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

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Office: (317) 232-2701
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IN THE MATTER OF THE PETITION OF)
ESSEX ACQUISITION CORPORATION)
FOR A CERTIFICATE OF TERRITORIAL)
AUTHORITY TO RESELL BUNDLED)
LOCAL EXCHANGE TELEPHONE)
SERVICES THROUGHOUT THE STATE)
OF INDIANA)

FILED

AUG 14 2003

CAUSE NO. 42487

INDIANA UTILITY
REGULATORY COMMISSION

You are hereby notified that on this date, the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On July 2, 2003, Essex Acquisition Corp. ("Petitioner") filed an *Application of Essex Acquisition Corporation for a Protective Order* ("Application") in this Cause, with financial documents provided under seal and marked "Confidential." Petitioner's Application stated that the enclosed financial materials "contain proprietary information the disclosure of which would prove detrimental to [Petitioner's] competitive position in the marketplace." Petitioner's Application was not verified, and was signed by its attorney.

Pursuant to 170 IAC 1-1.1-4, if a party wishes to file a document it believes to be confidential pursuant to I.C. 8-1-2-29 and I.C. 5-14-3,

the party shall apply for a finding by the commission, on or before the date (if any) information is required to be filed, that the information is confidential. The written application for a confidentiality finding must be served on all parties of record. At any time after ten (10) days, or earlier with the consent of the parties or as ordered by the presiding officers, following an application by any party under this subsection, the commission may take any one (1) or more of the following actions:

- (1) Find information to be confidential, in whole or in part.
- (2) Find information not to be confidential, in whole or in part.
- (3) Issue a protective order or docket entry covering the information.
- (4) Find that information found not to be confidential should be filed in accordance with this rule.
- (b) The application required by subsection (a) shall be accompanied by the sworn statement or testimony of a party that describes the following:
 - (1) The nature of the confidential information.
 - (2) The reasons why the information should be treated as confidential information pursuant to IC 8-1-2-29 and IC 5-14-3.
 - (3) The efforts the party has made to maintain the confidentiality of the information.

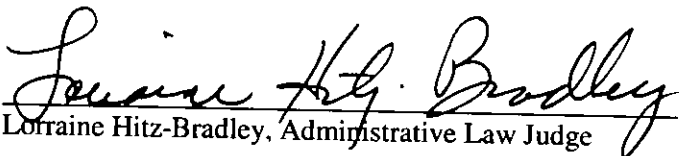
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- (e) Information filed with or submitted to the commission prior to a finding by the commission that such information is confidential shall be available to the public pursuant to IC 8-1-2-29.

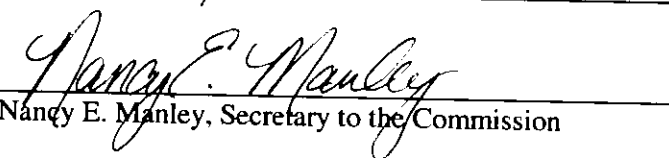
170 I.A.C 1-1.1-4

THEREFORE, Petitioner shall file with the Commission by August 25, 2003, a Motion and Affidavit conforming to 170 I.A.C. 1-1.1-4. Failure to do will result in the documents at issue being made part of the public record.

IT IS SO ORDERED.


Lorraine Hitz-Bradley, Administrative Law Judge

Date: 8/14/03


Nancy E. Manley, Secretary to the Commission